Appl. No. 09/420,991 Amdt. dated May 13, 2004 Reply to Office Action of February 17, 2004

## **REMARKS/ARGUMENTS**

Claims 1-26, 28-31, 33-41, 59-77, 79-82, and 84-89 were pending in this application and examined.

Applicant gratefully acknowledges Examiner's indication that claims 28-31, 33, 79-82, and 84 define patentable subject matter and would be allowable if rewritten in independent form including all the limitations of the base and any intervening claims.

Applicant would like to thank the Examiner for the interview conducted via teleconference call on May 11, 2004, during which the Examiner suggested possible claim amendments to distinguish Applicant's claimed invention from U.S. patent 5,857,175 to L. Day et al.

However, in the interest of expedited prosecution, Applicant has decided to amend claim 1 such that it represents claim 28 written in independent form. Likewise, Applicant has amended claim 59 such that it represents claim 79 written in independent form. Applicants believe that the pending claims 1-25, 29-31, 33-41, 59-76, 80-82, and 84-89 are allowable. Claims 26, 28, 77, and 79 have been canceled without prejudice.

Appl. No. 09/420,991 Amdt. dated May 13, 2004 Reply to Office Action of February 17, 2004

## **CONCLUSION**

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

Tyrome Y. Brown Reg. No. 46,580

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 415-576-0300

TYB:tyb/km 60214525 v1